

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

KERRY LEE THOMAS,

Plaintiff,

v.

ERIC M. BRUSS,
WAYNE SCHULTZ,
and KEITH MORRIS in his capacity as
Temporary Dependent Administrator of the
Estate of Robert Johnson,

Defendants.

Case No. 4:23-cv-00662

**JOINT MOTION FOR CONTINUANCE AND
ENTRY OF TENTH AMENDED DOCKET CONTROL ORDER**

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, Kerry Lee Thomas, and Defendants Eric M. Bruss and Wayne Schultz file this Joint Motion for Continuance and Entry of Tenth Amended Docket Control Order.

I.

This case is currently set for docket call on October 27, 2025, with a pretrial dispositive motion deadline of August 8, 2025, and mediation and discovery to be completed by July 28, 2025. The parties request that the Court continue the discovery deadline as well as the pretrial dispositive motions deadline by two weeks and enter the new Docket Control Order (“DCO”) attached as Exhibit A.

II.

The parties have exchanged expert disclosures and have started deposing expert witnesses. Plaintiff is scheduled to depose Defendants’ expert witness on July 31, 2025, the earliest date that the

expert was available for a deposition. Because the parties need more time to complete depositions and receive transcripts prior to submitting dispositive motions, the parties request that the Court enter a Tenth Amended DCO. The remainder of the deadlines can stay the same including the date for docket call.

III.

A continuance will not prejudice any party. This motion is not sought for delay only, but so that justice may be done.

PRAYER

For the reasons stated above, the Parties respectfully request this Honorable Court grant this Joint Motion for Continuance and enter the attached Tenth Amended Docket Control Order.

Respectfully submitted,

Thompson & Horton LLP

By: /s/ Celena Vinson
Celena Vinson
State Bar No. 24037651
cvinson@thompsonhorton.com
Alexa T. Gould
State Bar No. 24109940
agould@thompsonhorton.com

3200 Southwest Freeway, Suite 2000
Houston, Texas 77027
Telephone: (713) 554-6742
Fax: (713) 583-8884

**ATTORNEYS FOR DEFENDANTS
BRUSS AND SCHULTZ**

/s/ Shirley LaVarco

Shirley LaVarco (*pro hac vice*)*

shirley@peoplescounsel.org

Brittany Francis (*pro hac vice*)†

brittany@peoplescounsel.org

Phone: 1-713-487-9809

* Admitted to practice in the District of Columbia (Bar No. 90005167).

† Admitted to practice in New York (Bar No. 5337555) and the District of Columbia (Bar No. 90008960)

Alessandro Clark-Ansani

Civil Rights Corps

1601 Connecticut Ave. NW, Suite 800

Washington, D.C. 20009

Telephone: (202) 844-4975

alessandro@civilrightscorps.org

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

On July 10, 2025, I electronically filed the foregoing document with the Clerk of the Court of the United States District Court for the Southern District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served counsel and/or pro se parties of record electronically using the CM/ECF filing system or by any other manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Celena Vinson

Celena Vinson